

ASSEMBLY BILL 461 (LRB -2443)

An Act to create 14.037 of the statutes; relating to: requiring legislative approval to locate a gaming establishment on certain lands taken into trust for the benefit of Indian tribes.

2005

01-11.	A.	Introduced by Representatives Gard, Ziegelbauer, Meyer, Petrowski, Gielow, Wood, Bies, Gundrum, Jeskewitz, Kestell, Owens, Vukmir, Gunderson, Towns, Albers, Vos, Ott, J. Fitzgerald, Kleefisch, Huebsch, Jensen and Davis ; cosponsored by Senators Lazich, Zien and Grothman .	
06-02.	A.	Read first time and referred to committee on State Affairs	263
06-20.	A.	Assembly amendment 1 offered by Representative Freese (LRB a0773)	306
06-20.	A.	Public hearing held.	
06-20.	A.	Executive action taken.	
06-21.	A.	Report passage recommended by committee on State Affairs, Ayes 5, Noes 2	308
06-21.	A.	Referred to committee on Rules	308
06-21.	A.	Made a special order of business at 10:03 A.M. on 6-23-2005 pursuant to Assembly Resolution 19	322
06-23.	A.	Assembly amendment 2 offered by Representatives Freese, Mursau, Kerkman, Musser, Vos and Gunderson (LRB a0797)	329
09-27.	A.	Read a second time	507
09-27.	A.	Assembly amendment 2 laid on table, Ayes 56, Noes 40	507
09-27.	A.	Ordered to a third reading	507
09-27.	A.	Rules suspended	507
09-27.	A.	Read a third time and passed , Ayes 59, Noes 37	507
10-25.	S.	Senator Leibham added as a cosponsor	404
11-01.	S.	Received from Assembly	420
11-01.	S.	Read first time and referred to committee on Judiciary, Corrections and Privacy	421

2006

01-11.	S.	Public hearing held.	
04-25.	S.	Senate amendment 1 offered by Senator Brown (LRB a2757)	789
04-26.	S.	Executive action taken.	
04-28.	S.	Report concurrence recommended by committee on Judiciary, Corrections and Privacy, Ayes 4, Noes 1.	
04-28.	S.	Available for scheduling.	
05-02.	S.	Placed on calendar 5-3-2006 by committee on Senate Organization.	
05-02.	S.	Senate amendment 2 offered by Senator Brown (LRB a3049).	
05-03.	S.	Read a second time.	
05-03.	S.	Placed at the foot of the calendar of 5-3-2006.	
05-03.	S.	Senate amendment 2 laid on table, Ayes 28, Noes 3.	
05-03.	S.	Senate amendment 3 offered by Senator Schultz (LRB a2740).	
05-03.	S.	Senate amendment 4 offered by Senator Stepp (LRB a3112).	
05-03.	S.	Senate amendment 3 placed after Senate amendment 4.	
05-03.	S.	Senate amendment 4 laid on table, Ayes 25, Noes 5.	
05-03.	S.	Senate amendment 3 withdrawn and returned to author.	
05-03.	S.	Ordered to a third reading.	
05-03.	S.	Rules suspended.	
05-03.	S.	Read a third time.	
05-03.	S.	Refused to nonconcur in, Ayes 10, Noes 21.	
05-03.	S.	Concurred in , Ayes 21, Noes 10.	
05-03.	S.	Ordered immediately messaged.	
05-04.	A.	Received from Senate concurred in.	

2005 ENROLLED BILL

05en AB-461

ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmdt

05 2443/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

5-9-06
Date

J R Miller
Enrolling Drafter

ELECTRONIC PROCEDURE:

Follow automatic or manual enrolling procedures in *TEXT2000 Reference Guide*, Document Specific Procedures, Ch. 20, Engrossing and Enrolling

DISTRIBUTION:

HOUSE OF ORIGIN:

- 11 copies plus bill jacket
- Secretary of State's envelope containing 4 copies plus newspaper notice

REVISOR OF STATUTES:

- 5 copies

DEPARTMENT OF ADMINISTRATION:

- 2 copies

LRB:

- Drafting file original
- Drafting attorney 1 copy
- Legislative editors 1 copy each
- Reference section 1 copy
- Bill index librarian 1 copy

2005 ASSEMBLY BILL 461

June 2, 2005 - Introduced by Representatives GARD, ZIEGELBAUER, MEYER, PETROWSKI, GIELOW, WOOD, BIES, GUNDRUM, JESKEWITZ, KESTELL, OWENS, VUKMIR, GUNDERSON, TOWNS, ALBERS, VOS, OTT, J. FITZGERALD, KLEEFISCH, HUEBSCH, JENSEN and DAVIS, cosponsored by Senators LAZICH, ZIEN and GROTHMAN. Referred to Committee on State Affairs.

- 1 **AN ACT** *to create* 14.037 of the statutes; **relating to:** requiring legislative
2 approval to locate a gaming establishment on certain lands taken into trust for
3 the benefit of Indian tribes.

Analysis by the Legislative Reference Bureau

The federal Indian Gaming Regulatory Act, which regulates gaming activities on Indian lands, requires that before an Indian gaming establishment may be located on Indian lands taken into trust after October 17, 1988 ("off-reservation" lands), the governor must concur with the decision of the U.S. secretary of the interior (secretary) that the proposed Indian gaming establishment would be in the best interest of the Indian tribe and its members and would not be detrimental to the surrounding community.

This bill provides that the governor may not concur with a decision of the secretary that an Indian gaming establishment proposed to be located on Indian lands taken into trust after October 17, 1988, would be in the best interest of the Indian tribe and its members and would not be detrimental to the surrounding community, unless the legislature first concurs in the determination by joint resolution.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 461**SECTION 1**

1 **SECTION 1.** 14.037 of the statutes is created to read:

2 **14.037 Legislative approval of Indian gaming on lands taken into trust**
3 **after October 17, 1988.** The governor may not concur with a determination of the
4 U.S. secretary of the interior, under 25 USC 2719 (b) (1) (A), that a gaming
5 establishment proposed to be located on lands acquired by the U.S. secretary of the
6 interior in trust for the benefit of an Indian tribe after October 17, 1988, would be in
7 the best interest of the Indian tribe and its members and would not be detrimental
8 to the surrounding community, unless the legislature first concurs in the
9 determination by joint resolution.

10 **SECTION 2. Initial applicability.**

11 (1) This act first applies to concurrences issued by the governor on the effective
12 date of this subsection.

13 **(END)**